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6	San Francisco, California 94102-3495 Telephone: (415) 436-6730 FAX: (415) 436-7169					
7	` ,					
8	Attorneys for Defendant					
9	UNITED STA	TES DISTRICT COURT				
	NORTHERN DIS	NORTHERN DISTRICT OF CALIFORNIA				
10	SAN FRANCISCO DIVISION					
11	AMERICAN SMALL BUSINESS	) No. C 08-0829 MHP				
12	LEAGUE,	)				
13	Plaintiff,	)				
14	v.	<ul><li>JOINT MOTION TO BE EXCUSED</li><li>FROM THE FORMAL ADR PROCESS</li></ul>				
15	UNITED STATES SMALL BUSINESS	) and PROPOSED ORDER				
	ADMINISTRATION	į				
16	Defendant.	)				
17		_)				
18	Each of the undersigned certifies that he or she has read either the handbook entitle					
19	"Dispute Resolution Procedures in the Northern District of California," or the specified portions					
20	the ADD Unit's Internet site synum edraged uscourts gover discussed the evoilable disput					

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to Plaintiff's request that this Court review Defendant's denial of his Freedom of Information Act request. Defendant avers that it does not have any responsive records. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that

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1	they be excused from participating in the ADR phone conference and any further formal ADR					
2	process.					
3	Dated: April 29, 2008	R	espectfully submitted,			
4			OSEPH P. RUSSONIE	LLO		
5		U	nited States Attorney			
6			/0/			
7		$\overline{\overline{M}}_{\!$	/s/ ELANIE L. PROCTO ssistant United States A	R <sup>1</sup>		
8		A	ttorneys for Defendant	es		
9	Dated: April 29, 2008		/s/			
10	Dated: 71pm 29, 2000		ICHARD BELSHAW ttorney for Plaintiff			
11		11	ttorney for Frankiri			
12	PROPOSED ORDER					
13	Pursuant to stipulation, IT IS SO ORDERED.  Dated:					
14			MARILYN H. PATEL United States District Judge			
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27	<sup>1</sup> I, Melanie L. Proctor, hereb	y attest that I ha	ve on file all hologran	h signatures for any		
28	<sup>1</sup> I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for ar signatures indicated by a "conformed" signature (/s/) within this efiled document.					
	JOINT CASE MANAGEMENT STATEME C 08-0829 MHP	ENT 2				